



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

112

CWP-17814-2025 (O&M)

Date of decision: 03.07.2025

Subodh Kumar

...Petitioner

VERSUS

State of Haryana and others

...Respondents

**CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present :- Mr. Amit Sheoran, Advocate for the petitioner(s).

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**VINOD S. BHARDWAJ, J. (Oral)**

1. Seeking setting aside of the order dated 06.10.2023 passed by the Principal Chief Conservator of Forest—respondent No.2 declining the claim of the petitioner for regularisation of his services from the date of regularisation of his juniors, the instant writ petition has been filed by the petitioner.

2. The facts which emerge from the present case are that the petitioner claims to have been engaged by the respondent-department on 01.01.2000 in the office of the Divisional Forest Officer, Kaithal, and was removed with effect from 30.06.2005. The said action was subject matter of challenge in Reference No.259/2006 before the Industrial Tribunal-cum-Labour Court, Ambala. The said reference was however dismissed vide award dated 10.04.2008, against which the petitioner preferred CWP-3082-2009. The said writ petition was partly allowed and the award was modified to the extent that a composite compensation of Rs.55,000/- was awarded to the petitioner vide order dated 15.05.2009. The LPA-836-2009 preferred by the petitioner was later dismissed by the Division Bench of this Court vide order dated 15.12.2009.



3. Undisputedly, from 2005, when the services of the petitioner were dispensed with, the petitioner has not approached any competent Court for seeking directions for consideration of his claim for regularisation up to the year 2023,. Although the petitioner contends that he was approaching the respondent authorities, however, only one such document has been appended and that too was sent in the year 2011.

4. The position is law needs no re-iteration that mere submission of repeated representation would not be sufficient to ignore delays or the laws of limitation. As a prudent litigant, a person is required to approach the Court within a reasonable time as well as in limitation for claiming his rights, in case the authorities are not responding. He cannot continue to submit reminders for over a decade and claim himself to be diligent.

5. Eventually, the petitioner filed CWP-8792-2023 after a period of nearly 18 years of the policy and 12 years after his representation, which was disposed of by this Court vide order dated 27.04.2023, directing the respondents to take a decision on the legal notice dated 23.04.2023 served by the petitioner. In compliance of the same, a speaking order No.77 dated 06.10.2023 was passed, which is now the subject matter of challenge.

6. Undeniably, a period of nearly eighteen years had elapsed between the disengagement of the petitioner in 2005 and the filing of CWP-8792-2023 before this Court. Further, although the order declining the representation was passed by the respondent authorities on 06.10.2023, the instant writ petition has been filed after a delay of nearly one and a half years even thereafter. The date of birth of the petitioner, as reflected in the Aadhar



Card, is 23.08.1968; hence, he is approximately fifty-seven years of age as on date. The policy under which regularisation is now being claimed pertains to the year 2003 and there is nothing on record to suggest that he fulfilled the conditions prescribed thereunder. The instant writ petition is thus for seeking consideration after 22 years and the delay in approaching the Court is solely on the part of the petitioner. Under the given circumstances, this Court finds that the grievance espoused by the petitioner is stale and is barred by delay and laches.

7. The writ petition is hence *dismissed in limine*.

(VINOD S. BHARDWAJ)  
JUDGE

03.07.2025

Mangal Singh

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |